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COMMISSIONERS

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AZ CORP COMMISSION  
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2016 OCT 19 P 3:53

IN THE MATTER OF THE APPLICATION OF  
ARIZONA PUBLIC SERVICE COMPANY FOR  
A HEARING TO DETERMINE THE FAIR  
VALUE OF THE UTILITY PROPERTY OF APS  
FOR RATEMAKING PURPOSES, TO FIX A  
JUST AND REASONABLE RATE OF RETURN  
THEREON, TO APPROVE RATE SCHEDULES  
DESIGNED TO DEVELOP SUCH RETURN.

DOCKET NO. E-01345A-16-0036

E-01345A-16-0123

**RESPONSE OF THE ARIZONA  
UTILITY RATEPAYER ALLIANCE  
IN SUPPORT OF NOTICE OF  
DEPOSITION**

1 The Arizona Utility Ratepayer Alliance, ("AURA"), hereby responds in support of the  
2 Notice of Deposition of Barbara Lockwood, filed by the Energy Freedom Coalition of America  
3 on October 3, 2016. For the following reasons, the October 6, 2016, Motion by the Arizona  
4 Public Service Company ("APS") for a protective order and to delay the requested deposition is  
5 meritless and should not be granted.

6 Granting APS's request to delay depositions to the last month of this proceeding would  
7 render them useless. Several deadlines will pass before APS submits its rebuttal testimony on  
8 February 17, 2017. The general direct testimony deadline is on December 21, 2016. The rate  
9 design direct testimony deadline is on January 27, 2017. APS's demand would prevent all  
10 parties and intervenors from using deposition testimony to prepare pre-filed direct testimony.

11 Pre-filed direct testimony is AURA's principal chance to state its position in advance of  
12 possible settlement discussions. APS concedes that it may attempt to settle this case by  
13 streamlining its position in rebuttal. Requiring the deposition be held before intervenor direct  
14 testimony is due allows the parties, including AURA, their best opportunity to craft testimony to  
15 influence a potential settlement. While AURA has not yet determined to what extent it would  
16 participate in Ms. Lockwood's deposition or (obviously) how it may use the results of that

Arizona Corporation Commission

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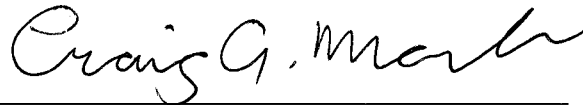
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1 deposition, APS's demanded restrictions would prevent her deposition from being useful in the  
2 settlement process.

3 AURA also opposes APS's request that the deposition be delayed until after some  
4 unspecified number of additional data requests. APS admits it already has answered over one  
5 thousand data requests. With the Lockwood deposition, AURA believes that it will have  
6 obtained all the information it needs to prepare its testimony. Requiring AURA and other parties  
7 to send additional data requests before the deposition is held simply wastes the resources of the  
8 parties and the Commission.

9 APS has made what can be characterized as among the most dramatic rate case proposals  
10 in the history of Arizona—proposing essentially for the first time in the United States to move a  
11 million residential customers onto complicated and controversial rates. Rate cases do not get  
12 bigger or more important than this and there is no justification for APS's attempts to limit and  
13 delay parties' attempts to perform discovery.

14 **Respectfully submitted** on October 19, 2016, by:

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29  
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31 Arizona Corporation Commission  
32 1200 West Washington  
33 Phoenix, Arizona 85007  
34

35 **Copies mailed or emailed**  
36 on October 19, 2016, to:

37  
38 **Service List**